



AF/16388

Patent
Attorney's Docket No. 029430-454

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Mizako MIZUNO et al.

Application No.: 09/577,657

Filed: May 25, 2000

For: GENE ENCODING CAFFEINE
SYNTHESIS SYSTEM ASSOCIATED
ENZYME AND USE THEREOF

MAIL STOP AFTER FINAL

Group Art Unit: 1638

Examiner: A. Kubelik

Confirmation No.: 6902

RECEIVED

SEP 15 2003

TECH CENTER 1600/2900

AMENDMENT & REPLY AFTER FINAL REJECTION TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313

Sir:

Enclosed is an Amendment and Reply After Final Rejection for the above-identified patent application.

- ☒ A Petition for Extension of Time is also enclosed.
- ☐ A Terminal Disclaimer and a check for ☐ \$55.00 (248) ☐ \$110.00 (148) to cover the requisite Government fee are also enclosed.
- ☒ Also enclosed is a Clean and Marked-Up Copy of the Substitute Specification, PTO date-stamped postcards from February 19, 2002, and October 3, 2002 (Exhibit A), and a Genes V article entitled "A special initiator tRNA starts the polypeptide chain" (Exhibit B)
- ☐ Small entity status is hereby claimed.
- ☐ Applicant(s) request continued examination under 37 C.F.R. § 1.114 and enclose the ☐ \$370.00 (279) ☐ \$740.00 (179) fee due under 37 C.F.R. § 1.17(e).
- ☐ Applicant(s) previously submitted __, on __, for which continued examination is requested.
- ☐ Applicant(s) request suspension of action by the Office until at least __, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.
- ☐ A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (146/246) is also enclosed.

☒ [X] No additional claim fee is required.

☐ [] An additional claim fee is required, and is calculated as shown below:

AMENDED CLAIMS					
	NO. OF CLAIMS	HIGHEST NO. OF CLAIMS PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	ADD'T'L FEE
Total Claims	27	MINUS 29 =	0	× \$18.00 (103) =	0.00
Independent Claims	2	MINUS 3 =	0	× \$84.00 (102) =	0.00
If Amendment adds multiple dependent claims, add \$280.00 (104)					
Total Amendment Fee					
If small entity status is claimed, subtract 50% of Total Amendment Fee					
TOTAL ADDITIONAL FEE DUE FOR THIS AMENDMENT					\$0.00

☐ [] A claim fee in the amount of \$_____ is enclosed.

☐ [] Charge \$_____ to Deposit Account No. 02-4800.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Erin M. Dunston
By: Reg No. 50,435 for
Erin M. Dunston
Registration No. 51,147

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

Date: September 11, 2003